

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)

American Radio Brokers, Inc.)
d/b/a Radio station KFFR 1020)
San Francisco, California)

Registrant of Antenna Structure)
ASR # 1019797)
Knik, Alaska)

File No.: EB-04-AN-028

NAL/Acct. No. 200532780002
FRN: 0010287019

FORFEITURE ORDER

Adopted: March 9, 2005

Released: March 11, 2005

By the Regional Director, Western Region, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of thirteen thousand dollars (\$13,000) to American Radio Brokers, Inc., d/b/a/ Radio Station KFFR 1020 (“ARB, Inc.”), San Francisco, California, registrant of Antenna Structure Number 1019797, located at Knik, Alaska, for willful and repeated violation of Section 303(q) of the Communications Act of 1934, as amended, (“the Act”), and Sections 17.48(a) and 17.51(a) of the Commission’s Rules (“the Rules”).¹ The noted violation involves failure by ARB, Inc. to maintain the lighting requirements for the antenna structure, as prescribed by the Commission, and for failing to notify an office or flight service station of the FAA regarding light outages.

2. On December 10, 2004, the Resident Agent of the Commission’s Anchorage Resident Agent Office of the Enforcement Bureau’s Western Region issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$13,000 to ARB, Inc.² ARB, Inc. requested an extension of time to respond to the *NAL* until January 31, 2005.³ The Anchorage Resident Agent granted the extension of time until January 31, 2005.⁴ ARB, Inc., however, has failed to file a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. A recent inspection reveals that ARB, Inc. continues to violate Section 17.51(a) by failing to maintain the lighting requirements for the above-referenced antenna structure. Consequently, we will require, pursuant to Section 308(b) of the Act,⁵ ARB, Inc. to report to the Enforcement Bureau, within thirty (30) days of the release of this Order, whether it has achieved compliance with Section 17.51(a) of the Rules.

¹47 U.S.C. § 303(q), 47 C.F.R. §§ 17.48(a) and 17.51(a).

²*Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200532780002 (Enf. Bur., Western Region, Anchorage Resident Agent Office, released December 10, 2004).

³Letter from David Tillotson to David J. Charlton, Federal Communications Commission, dated December 28, 2004.

⁴Letter from David J. Charlton, Federal Communications Commission to David Tillotson, dated January 10, 2005.

⁵47 U.S.C. § 308(b).

4. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“Act”), and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules, American Radio Brokers, Inc., d/b/a/ Radio Station KFFR 1020, **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$13,000 for willfully and repeatedly violating Section 303(q) of the Act, and Sections 17.48(a) and 17.51(a) of the Rules.⁶

5. **IT IS ALSO ORDERED** that, pursuant to Section 308(b) of the Act, American Radio Brokers, Inc. must submit the report described in Paragraph 3, above, within 30 days from the release of this Order, to: Federal Communications Commission, Enforcement Bureau, Western Region, Anchorage Resident Agent Office, P.O. Box 221849, Anchorage, Alaska 99522-1849.⁷

6. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁸ Payment by check or money order may be mailed to Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. Payment by overnight mail may be sent to Bank One/LB 73482, 525 West Monroe, 8th Floor Mailroom, Chicago, IL 60661. Payment by wire transfer may be made to ABA Number 071000013, receiving bank Bank One, and account number 1165259. The payment must include the NAL/Acct. No. and FRN referenced above. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Group, 445 12th Street, S.W., Washington, D.C. 20554.⁹

7. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to American Radio Brokers, Inc., d/b/a Radio Station KFFR 1020, 1255 Post Street, Suite 625, San Francisco, CA 94109; Chester P. Coleman, C/O Amer. Radio Brokers, Inc., 1255 Post Street, Suite 1011, San Francisco, CA 94109; Chester P. Coleman, 1255 Post Street, Suite 1023, San Francisco, CA 94109, and David Tillotson, Esquire, 4606 Charleston Terrace, N.W., Washington, D.C. 20007-1911.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau

⁶47 U.S.C. §§ 303(q) and 503(b), 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4), 17.48(a) and 17.51(a).

⁷47 U.S.C. § 308(b).

⁸47 U.S.C. § 504(a).

⁹See 47 C.F.R. § 1.1914.